

RESOLUTIONS.

PROPOSED CONSTITUTIONAL AMENDMENT INCREAS- ING TEXAS SUPREME COURT TO NINE MEMBERS, AND CHANGING TERMS OF SAID COURT.

H. J. R. No. 6.]

A JOINT RESOLUTION.

Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court of nine members, and for continuous session of that Court.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Sections 2 and 3 of Article 5 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Article 5. Section 2. The Supreme Court shall consist of a Chief Justice and eight Associate Justices, any five of whom shall constitute a quorum, and the concurrence of five shall be necessary to a decision of a case; in other matters, until otherwise provided by Law, the jurisdiction of the Court shall be exercised under such regulations and orders as the Court by a majority vote may prescribe. No person shall be eligible to the office of Chief Justice or Associate Justice of the Supreme Court unless he be, at the time of his election, a citizen of the United States and of this State and unless he shall have attained the age of thirty years, and shall have been a practicing lawyer or a judge of a court, or such lawyer and judge together at least seven years. Said Chief Justice and Associate Justices shall be elected by the qualified voters of the State at a general election, shall hold their offices six years, or until their successors are elected and qualified, and shall receive such compensation as may be provided by law. In case of a vacancy in the office of Chief Justice of the Supreme Court, the Governor shall fill the vacancy until the next general election for State officers, and at such general election the vacancy for the unexpired term shall be filled by election by the qualified voters of the State. The Judges of the Supreme Court who may be in office at the time this amendment takes effect shall continue in office until the expiration of their term of office under the present Constitution, and until their successors are elected and qualified. When this amendment takes effect, the Governor shall immediately appoint six additional Associate Justices of the Supreme Court for terms of office so that the terms of two of such appointed Associate Justices shall expire with the term of office of each of the present members of the Supreme Court, and, upon the qualification of

such new Justices, the Commission of Appeals of the State of Texas shall terminate."

"Article V. Section 3. The Supreme Court shall have appellate jurisdiction only except as herein specified, which shall be co-extensive with the limits of the State. Its appellate jurisdiction shall extend to questions of law arising in cases of which the Courts of Civil Appeals have appellate jurisdiction under such restrictions and regulations as the Legislature may prescribe. Until otherwise provided by law, the appellate jurisdiction of the Supreme Court shall extend to questions of law arising in the cases in the Courts of Civil Appeals in which the Judges of any Court of Civil Appeals may disagree or where the several Courts of Civil Appeals may hold differently on the same question of law, or where a Statute of the State is held void, and shall extend to such other questions as may be within the Court's Appellate Jurisdiction under the Statutes of the State in force when this amendment takes effect. The Supreme Court and the Justices thereof shall have power to issue writs of habeas corpus, as may be prescribed by Law, and under such regulations as may be prescribed by Law, the said Court and the Justices thereof may issue the writs of mandamus, procedendo, certiorari and such other writs, as may be necessary to enforce its jurisdiction. The Legislature may confer original jurisdiction on the Supreme Court to issue writs of quo warranto and mandamus in such cases as may be specified, except as against the Governor of the State.

The Supreme Court shall also have power, upon affidavit or otherwise as by the Court may be determined, to ascertain such matters of fact as may be necessary to the proper exercise of its jurisdiction. The Supreme Court shall be open at all times and shall sit at the State Capitol for the transaction of business at such times as may be designated by the Court.

The Supreme Court shall appoint a clerk, who shall give bond in such manner as is now or may hereafter, be required by law, and he may hold his office for four years and shall be subject to removal by said Court for good cause entered of record on the Minutes of said Court who shall receive such compensation as the Legislature may provide."

SEC. 2. Said proposed Constitutional amendment shall be submitted to a vote of the qualified electors of this State at a special election to be held throughout the State on Tuesday, July 16, 1929, at which election each voter opposing said proposed amendment shall scratch off of the ballot with a pen or pencil the following words printed on said ballot: "For the amendment to the State Constitution providing for a Supreme Court of nine members, and for continuous session of that Court.", and each voter favoring said proposed amendment shall scratch off the ballot in the same manner the following words printed on said ballot: "Against the amendment to the State Constitution providing for a Supreme Court of nine members, and for continuous session of that Court." If it appears from

the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

SEC. 3. The Governor shall issue the necessary proclamation for said election and have the same published and said election held as provided by the Constitution and Laws of this State.

SEC. 4. The sum of Five Thousand (\$5000.00) Dollars, or so much thereof as may be necessary is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

[NOTE: H. J. R. No. 6 passed the House February 5, 1929, 121 ayes, 5 nays; passed the Senate February 8, 1929, 24 ayes, 0 nays.]

Approved by the Governor February 19, 1929.

SALARY OF GOVERNOR—PROPOSED CONSTITUTIONAL AMENDMENT.

H. J. R. No. 7.]

A JOINT RESOLUTION.

Proposing an amendment to Section 5 of Article 4 of the Constitution of the State of Texas fixing the salary of the Governor; providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That Section 5 of Article 4 of the Constitution of the State of Texas be so amended as to hereafter read as follows:

"Sec. 5. The Governor shall, at stated times, receive as compensation for his services an annual salary of Ten Thousand Dollars and no more, and shall have the use and occupation of the Governor's Mansion, fixtures and furniture; provided that this amendment shall not become effective until the third Tuesday in January, 1931."

SEC. 2. The foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held throughout the State on July 16, 1929, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words: "For the amendment to the Constitution of the State of Texas fixing the salary of the Governor." And those voters opposing said proposed amendment shall write or have printed on their ballots the words: "Against the amendment to the Constitution of the State of Texas fixing the salary of the Governor."

SEC. 3. The Governor of the State of Texas is hereby direct-